

**REMARKS**

In accordance with the foregoing, claims 1 – 10 and 13 - 16 are pending and under consideration. Claim 1 is amended herein.

**Rejection of claims 1, 2, 3 and 15 under 35 U.S.C. §103(a) over Moriwaki et al. in view of Ramaswami et al.**

At page 2 of the Office Action, claims 1, 2, 3, and 15 were rejected under 35 U.S.C. §103(a) as obvious over Moriwaki et al. (U.S. Patent 6,258,480) (hereinafter, "Moriwaki") in view of Ramaswami et al. (U.S. Patent No. 6,830,847) (hereinafter, "Ramaswami"). Regarding Moriwaki, the Examiner repeated the allegations made in the Office Action mailed on September 21, 2007. The Examiner acknowledged that Moriwaki fails to teach a battery case having nickel only on the bottom of the case. The Examiner alleged that Ramaswami teaches a battery cell having an anode portion plated with nickel. The Examiner alleged that it is desirable to have nickel plated on the bottom to prevent corrosion and enhance electrical connection. The Examiner took the position that it would be desirable to plate the nickel of Moriwaki only on the bottom of the can since having it only on the bottom of the can would reduce the need to plate nickel elsewhere on the can, thus reducing the overall cost of the battery. For the following reasons, this rejection is traversed and reconsideration is requested.

Independent claim 1, as amended, relates to a secondary battery comprising an electrode unit having a positive electrode plate, a negative electrode plate and a separator disposed therebetween, a can having a bottom portion a side wall and an opening at an end of the side wall and in which the electrode unit and an electrolytic solution are accommodated, the can comprising aluminum or an aluminum alloy, a cap plate directly welded at the opening for sealing the can, and a layer provided only on an outer surface of the bottom portion of the can wherein the layer has a thickness of 30  $\mu\text{m}$  to 100  $\mu\text{m}$ .

Contrary to what is alleged by the Examiner, Ramaswami does not teach or suggest a layer provided only on an outer surface of the bottom portion of a can of a secondary battery. Instead, Ramaswami describes a button battery in which the entire outer surface of the anode (FIG. 1 of Ramaswami) or at least the entire exposed surface of the anode (FIG. 5 of Ramaswami) is covered with a layer. Claim 1 is amended herein to further distinguish the battery structure of the secondary battery according to the present claims with the battery structure described in Ramaswami. In particular, Ramaswami does not teach or suggest a secondary battery having a side wall and an opening at an end of the side wall in which the electrode unit and an electrolytic solution are accommodated and a cap plate directly welded with the opening

for sealing the can. Therefore, Ramaswami would not have provided any teachings to provide a layer only on an outer surface of a bottom portion of a can of a secondary battery as further recited in claim 1. Accordingly, the combination of Moriwaki and Ramaswami does not teach or suggest the present invention. Therefore, the rejection should be withdrawn.

**Rejection of claims 4 and 5 under 35 U.S.C. §103 over Moriwaki. in view of Ramaswami and further in view of Seiji**

At page 4 of the Office Action, claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Moriwaki in view of Ramaswami as applied to claim 1 above, and further in view of Seiji (JP 60 124351). The Examiner applied Moriwaki and Ramaswami as described above and applied Seiji for the same reasons set forth in the Office Action mailed on September 21, 2007. For the following reasons, this rejection is traversed and reconsideration is requested.

As noted above, the combination of Moriwaki and Ramaswami does not teach or suggest does not teach or suggest a layer provided only on an outer surface of the bottom portion of a can of a secondary battery. Seiji also does not teach or suggest does not teach or suggest a layer provided only on an outer surface of the bottom portion of a can of a secondary battery. Therefore, combining the secondary battery of Moriwaki with layers according to Ramaswami and/or Seiji would not have met all of the limitations of the present claims. Therefore, the rejection should be withdrawn.

**Rejection of claims 6 and 7 under 35 U.S.C. §103 over Moriwaki in view of Morishita et al.**

At page 5 of the Office Action, claims 6 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Moriwaki in view of Ramaswami as applied to claim 1 above, and further in view of Morishita et al. (U.S. Patent 5,976,729) (hereinafter, "Morishita"). The Examiner applied Moriwaki and Ramaswami as described above and applied Morishita for the same reasons set forth in the Office Action mailed on September 21, 2007. For the following reasons, this rejection is traversed and reconsideration is requested.

As noted above, the combination of Moriwaki and Ramaswami does not teach or suggest does not teach or suggest a layer provided only on an outer surface of the bottom portion of a can of a secondary battery. Morishita also does not teach or suggest a layer provided only on an outer surface of the bottom portion of a can of a secondary battery. Therefore, combining the

secondary battery of Moriwaki with layers according to Ramaswami and/or the lead plate according to Morishita would not have met all of the limitations of the present claims. Therefore, the rejection should be withdrawn.

**Rejection of claims 8 and 9 under 35 U.S.C. §103 over Moriwaki in view of Ramiswami and Morishita and further in view of Seiji**

At page 6 of the Office Action, claims 8 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Moriwaki in view of Ramiswami and Morishita as applied to claim 6 above, and further in view of Seiji. The Examiner applied Moriwaki, Ramaswami and Morishita as described above and applied Seiji for the same reasons set forth in the Office Action mailed on September 21, 2007. For the following reasons, this rejection is traversed and reconsideration is requested.

As noted above, Morishita, Ramiswami, Moriwaki and Seiji, singly or combined, do not teach or suggest a layer provided only on an outer surface of the bottom portion of a can of a secondary battery as recited in independent claim 1, from which claims 8 and 9 depend. Therefore, the rejection should be withdrawn.

**Rejection of claim 10 under 35 U.S.C. §103 over Moriwaki in view of Ramiswami and Seiji and further in view of Morishita**

At page 8 of the Office Action, claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Moriwaki in view Seiji, as applied to claim 4 above, and further in view of Morishita. The Examiner applied Moriwaki and Ramiswami as described above and applied Seiji and Morishita for the same reasons set forth in the Office Action mailed on September 21, 2007. For the following reasons, this rejection is traversed and reconsideration is requested.

As noted above, Morishita, Ramiswami, Moriwaki and Seiji, singly or combined, do not teach or suggest a layer provided only on an outer surface of the bottom portion of a can of a secondary battery as recited by claim 1, from which claim 10 depends. Therefore, the rejection should be withdrawn.

**Rejection of claims 13 and 14 under 35 U.S.C. §103 over Moriwaki in view of Ramaswami and further in view of Shibata et al.**

At page 9 of the Office Action, claims 13 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Moriwaki in view of Ramaswami as applied to claim 1 above, and further in view of Shibata et al. (EP 0 899 799 A2) (hereinafter, "Shibata"). The Examiner applied Moriwaki and Ramaswami as described above and applied Shibata for the same reasons set forth in the Office Action mailed on September 21, 2007. For the following reasons, this rejection is traversed and reconsideration is requested.

As noted above, the combination of Moriwaki and Ramaswami does not teach or suggest does not teach or suggest a layer provided only on an outer surface of the bottom portion of a can of a secondary battery. Shibata also does not teach or suggest does not teach or suggest a layer provided only on an outer surface of the bottom portion of a can of a secondary battery. Therefore, Moriwaki, Ramaswami and Shibata, singly or combined would not have met all of the limitations of the present claims. Therefore, the rejection should be withdrawn.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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